

HOUSE No. 783

By Mr. O’Flaherty of Chelsea, petition of Eugene L. O’Flaherty relative to the enforcement of restitution in criminal cases that have not been satisfied or revoked, whether or not originally imposed as a condition of probation. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT PERMITTING THE INDEPENDENT ENFORCEMENT OF RESTITUTION ORDERS IN CRIMINAL CASES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 92 of chapter 276 of the General Laws, as appearing in
2 the 2002 Official Edition, is hereby amended by inserting at the
3 end thereof the following paragraph:—

4 Any order of restitution in a criminal case that has not been sat-
5 isfied or revoked, whether or not originally imposed as a condi-
6 tion of probation, shall in the court’s discretion be separately
7 enforceable pursuant to section 1 of chapter 279 even after the
8 defendant has been discharged from probation or after the defen-
9 dant’s probation has been revoked and the defendant committed.